

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Diana Vale	Team: Squad #6	CCRB Case #: 201709826	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 11/24/2017 12:16 PM	Location of Incident: Bushwick Avenue and Meserole Street	Precinct: 90	18 Mo. SOL 5/24/2019	EO SOL 5/24/2019	
Date/Time CV Reported Mon, 11/27/2017 9:17 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 11/27/2017 9:17 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Justin Valeo	11141	946356	090 PCT
2. POF Shannon Cirillo	16111	951618	090 PCT
3. POM Jake Roher	10492	963724	090 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Justin Valeo	Abuse: Police Officer Justin Valeo stopped the vehicle in which § 87(2)(b) was an occupant.	[REDACTED]
B.POF Shannon Cirillo	Abuse: Police Officer Shannon Cirillo stopped the vehicle in which § 87(2)(b) was an occupant.	[REDACTED]
C.POM Jake Roher	Abuse: Police Officer Jake Roher stopped the vehicle in which § 87(2)(b) was an occupant.	[REDACTED]
§ 87(2)(g), § 87(4-b)	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Case Summary

On November 27, 2017, § 87(2)(b) filed this complaint via the Civilian Complaint Review Board website.

On November 24, 2017, at approximately 12:16 p.m., § 87(2)(b) was driving past the intersection of Bushwick Avenue and Meserole Street in Brooklyn. PO Justin Valeo, PO Shannon Cirillo, and PO Jake Roher of the 90th Precinct were inside of a marked police vehicle which was parked on the corner of Bushwick Avenue and Meserole Street, when they observed § 87(2)(b) using a cell phone while operating her vehicle. PO Valeo, PO Cirillo, and PO Roher stopped § 87(2)(b) vehicle for the cell phone violation (**Allegations A – C: Abuse of Authority**, § 87(2)(g) § 87(2)(b) was warned and admonished and was not issued a summons for this incident. § 87(2)(g), § 87(4-b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

There was no video footage obtained for this incident.

Findings and Recommendations

Allegation A – Abuse of Authority: Police Officer Justin Valeo stopped the vehicle in which § 87(2)(b) was an occupant.

Allegation B – Abuse of Authority: Police Officer Shannon Cirillo stopped the vehicle in which § 87(2)(b) was an occupant.

Allegation C – Abuse of Authority: Police Officer Jake Roher stopped the vehicle in which § 87(2)(b) was an occupant.

§ 87(2)(b) stated that as she was driving on Bushwick Avenue, her cell phone was placed “knee deep” inside of her purse, and at no point while driving, did she reach into her purse to retrieve her cell phone or hold the cell phone to her ear. As she spoke with PO Valeo, she showed him her recent calls log which indicated that her last phone call was made one hour prior to the stop. PO Valeo warned and admonished § 87(2)(b) and she did not receive a summons.

PO Valeo stated that he, PO Cirillo, and PO Roher were assigned to conduct a directed patrol of Bushwick Avenue and Meserole Street, as it was a known accident prone location which included accidents involving cell phone use while driving a vehicle. As PO Valeo and his partners sat in their police vehicle, all three officers observed § 87(2)(b) with a black cellphone in her right hand to her right ear. Officers stated “phone” at the same time and proceeded to pull over § 87(2)(b) PO Valeo spoke with § 87(2)(b) who showed her recent calls log noting that her last phone call was made one hour prior to the stop. PO Valeo informed § 87(2)(b) that he was giving her the benefit of the doubt and warned and admonished her.

PO Cirillo and PO Roher were consistent with PO Valeo’s statement. Officers were assigned to patrol the accident prone location for violations involving cell phone infractions. All three officers observed § 87(2)(b) using a black cell phone while driving her vehicle and stated “Phone” at the same time indicating that they had all observed this violation.

§ 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

[REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]

- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR 04).
- PO Valeo has been a member-of-service for ten years and this is the first CCRB complaint to which he has been a subject (see officer history).
- PO Cirillo has been a member-of-service for six years and has been a subject in one CCRB complaint and one allegation, which was not substantiated. § 87(2)(g) (see officer history).
- PO Roher has been a member-of-service for less than one year and this is the first CCRB complaint to which he has been a subject (see officer history).

- § 87(2)(b) declined to mediate this complaint.
- As of February 15, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (BR 05).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Reviewer: _____

Signature _____ Print Title & Name _____ Date _____